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# **Health Services and Development Agency Communique**

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**A MONTHLY PUBLICATION OF THE  
HEALTH SERVICES AND DEVELOPMENT AGENCY**

**Andrew Jackson Building  
502 Deaderick Street, Ninth Floor  
Nashville, TN 37243  
615.741.2364**

**NOVEMBER  
2013**

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**For Meeting verification/change or agenda information, please call  
the Agency Office or check our website at [www.tn.gov/hsda](http://www.tn.gov/hsda)**

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**HEALTH SERVICES & DEVELOPMENT AGENCY**

**Chair..... D. Lynn Johnson  
Vice-Chair .....James Wright  
Executive Director ..... Melanie Hill  
General Counsel ..... James B. Christoffersen**

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**Tennessee Department of Health  
Division of Policy, Planning and Assessment  
Health Statistics --- 615.741.1954**

**Tennessee Department of Mental Health and Substance Abuse Services  
Office of General Counsel --- 615.532.6520  
Main Office --- 615.532.6500**

**Tennessee Department of Intellectual and Development Disabilities  
Office of General Counsel --- 615.253.8731  
Main Office --- 615.532.6500 or 800.535.9725**

## CALENDAR

**The Health Services and Development Agency will be closed in 2013 on the following days:**

Tuesday, January 1 – New Year's Day  
 Monday, January 21 – Martin Luther King Day  
 Monday, February 18 – President's Day  
 Friday, March 29 – Good Friday  
 Monday, May 27 – Memorial Day  
 Thursday, July 4 – Independence Day  
 Monday, September 2 – Labor Day

Monday, November 11 – Veteran's Day  
 Thursday, November 28 – Thanksgiving Day  
 \* Friday, November 29 – *substituted for Columbus Day*  
 Tuesday, December 24 – Christmas Eve  
 Wednesday, December 25 – Christmas Day  
 Tuesday, December 31 – New Year's Eve

\* Monday, October 14 – Columbus Day "*substituted for the day after Thanksgiving at the Governor's discretion.*"

<b>2013 REVIEW CYCLE</b>				
<b>2013 Cycle</b>	<b>Publication Dates-Letter of Intent</b>	<b>Application</b>	<b>HSDA Meeting Dates</b>	<b>* End of Appeal Period</b>
August 2013	07/01/12 – 07/10/13	5 days after Publication	10/23/13	11/07/13
September 2013	08/01/12 – 08/10/13	"	11/20/13	12/05/13
October 2013	09/01/12 – 09/10/13	"	12/18/13	01/02/14
November 2013	10/01/12 – 10/10/13	"	01/22/14	02/06/14
December 2013	11/01/12 – 11/10/13	"	02/26/14	03/13/14
<b>2014 REVIEW CYCLE*</b>				
<b>2014 Cycle</b>	<b>Publication Dates-Letter of Intent</b>	<b>Application</b>	<b>HSDA Meeting Dates</b>	<b>* End of Appeal Period</b>
January 2014	12/01/13 – 12/10/13	5 days after Publication	03/26/14	04/10/14
February 2014	01/01/14 – 01/10/14	"	04/23/14	05/08/14
March 2014	02/01/14 – 02/10/14	"	05/28/13	06/12/14
April 2014	03/01/14 – 03/10/14	"	06/25/14	07/10/14
May 2014	04/01/14 – 04/10/14	"	07/23/14	08/07/14
June 2014	05/01/14 – 05/10/14	"	08/27/14	09/11/14
July 2014	06/01/14 – 06/10/14	"	09/24/14	10/09/14
August 2014	07/01/14 – 07/10/14	"	10/22/14	11/06/14
September 2014	08/01/14 – 08/10/14	"	11/19/14	12/04/14
October 2014	09/01/14 – 09/10/14	"	12/17/14	01/01/15
November 2014	10/01/14 – 10/10/14	"	01/28/15	02/12/15
December 2014	11/01/14 – 11/10/14	"	02/25/15	03/12/15
<p style="text-align: center;">In the event that the last appropriate filing date falls on a Saturday, Sunday, or legal holiday, such filing should occur on the <u>preceding</u> business day.</p> <p style="text-align: center;">* Appeal deadline is 15 days after meeting date</p>				

### STATE OF TENNESSEE POLICY OF NON-DISCRIMINATION

PURSUANT TO THE STATE OF TENNESSEE'S POLICY OF NON-DISCRIMINATION, THE HEALTH SERVICES AND DEVELOPMENT AGENCY DOES NOT DISCRIMINATE ON THE BASIS OF RACE, SEX, RELIGION, COLOR, NATIONAL OR ETHNIC ORIGIN, AGE, DISABILITY OR MILITARY SERVICE IN ITS POLICIES OR IN THE ADMISSION OR ACCESS TO, OR TREATMENT OR EMPLOYMENT IN, ITS PROGRAMS, SERVICES OR ACTIVITIES.

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION INQUIRIES OR COMPLAINTS SHOULD BE DIRECTED TO THE HEALTH SERVICES AND DEVELOPMENT AGENCY EEO/AA COORDINATOR OR OFFICER, HEALTH SERVICES AND DEVELOPMENT AGENCY, ANDREW JACKSON BUILDING, 9<sup>th</sup> FLOOR, 502 DEADERICK STREET, NASHVILLE, TN 37243. TELEPHONE NO.: 615/741-2364. ADA INQUIRIES OR COMPLAINTS SHOULD BE DIRECTED TO THE HEALTH SERVICES AND DEVELOPMENT AGENCY'S ADA COORDINATOR: JAMES CHRISTOFFERSEN, HEALTH SERVICES AND DEVELOPMENT AGENCY, ANDREW JACKSON BUILDING, NINTH FLOOR, 500 DEADERICK STREET, NASHVILLE, TN 37243. TELEPHONE NO.: 615/741-2364.

# **HEALTH SERVICES AND DEVELOPMENT**

## **AGENCY**

### **MEETINGS**

**THSDA Meetings are scheduled to be held at  
8:30 a.m. CDT/CST  
at the following locations:**

#### **November – December**

Legislative Plaza  
Room 12  
Sixth Avenue North & Union Street  
Nashville, TN

#### **January – June**

AT&T Tower  
Main Auditorium  
333 Commerce Street  
Nashville, TN

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- \* Meeting locations are subject to change
- \*\* All meetings of the Health Services and Development Agency are posted on the Agency's website at [www.tn.gov/hsda](http://www.tn.gov/hsda)

#### **EXECUTIVE DIRECTOR'S ANNOUNCEMENTS:**

##### **PLEASE NOTE:**

In order that the Agency members may have sufficient time to review the meeting packet, please submit all support, rebuttal and comments for matters on the Agency's agenda no later than noon (Central Time) on the thirteenth day before the meeting at which that matter will be Heard. The parties are encouraged to provide 15 copies. In accordance with T.C.A., Section 68-11-1609(g)(1), any health care institution wishing to oppose a Certificate of Need application must file a written objection with the Agency and serve a copy on the applicant no later than fifteen days before the agency meeting at which time the application is originally scheduled.



## **RESULTS OF APPLICATIONS HEARD AT THE OCTOBER MEETING**

CSPM Surgery Center  
7446 Shallowford Road, Suite 102  
Chattanooga (Hamilton County), TN 37421  
CN1306-021  
Contact Person: Douglas S. Griswold, Esq.  
Phone: 423-757-0262

**DEFERRED FROM SEPTEMBER  
DENIED**

The Health Center of Hermitage  
Unaddressed site at Bell Road south of  
Woodland Point Drive and north of Couchville Pike  
Nashville (Davidson County), TN 37201  
CN1306-022  
Contact Person: Bruce K. Duncan, Assistant  
Vice President  
Phone: 615-890-2020

**DEFERRED FROM SEPTEMBER  
APPROVED**  
Expiration date extended 3 years

Community Hospices of America-Tennessee, LLC  
d/b/a Hospice Compassus-The Highland Rim  
1805 N. Jackson St., Suites 5 & 6  
Tullahoma (Coffee County), TN 37388  
CN1307-023  
Contact Person: Kim H. Looney, Esq.  
Phone: 615-850-8722

**DEFERRED TO DECEMBER**

Shannondale Rehabilitation Center  
7510 & 7522 Middlebrook Pike  
Knoxville (Knox County), TN 37909  
CN1307-024  
Contact Person: William R. Thomas, Jr.,  
President/CEO  
Phone: 865-690-3411

**APPROVED**

NHC/Maury Regional Transitional Care Center  
5004 Trotwood Avenue  
Columbia (Maury County), TN 38401  
CN1307-025  
Contact Person: Bruce K. Duncan, Assistant  
Vice President  
Phone: 615-890-2020

**APPROVED**

The establishment of a one (1) operating room single specialty ambulatory surgical treatment center (ASTC) limited to interventional pain management procedure for the patients of Center for Spine and Pain Medicine, P.C. (CSPM). The estimated project cost is \$683,350.

The establishment of a nursing home by relocating 60 of the 150 nursing home beds from the approved but unimplemented certificate of need for the Health Center of Nashville, CN1107-024A, pursuant to T.C.A. § 68-11-1631 which permits the qualified partial relocation of nursing home beds and the addition of 30\* new Medicare-certified skilled nursing home beds for a total 90 Medicare-certified skilled bed nursing home. The estimated project cost is \$20,142,000.

\* These beds are subject to the 2012-2013 Nursing Home Bed Pool.

The addition of Lincoln County to the service area of Hospice Compassus which is currently licensed in Bedford, Cannon, Coffee, Franklin, Giles, Grundy, Hickman, Lawrence, Lewis, Marshall, Maury, and Moore counties. The estimated project cost is \$28,000.00.

The establishment of a new thirty (30)\* bed Medicare skilled nursing home to be known as Shannondale Rehabilitation Center. The facility will be located on the campus of Shannondale Continuing Care Retirement Community at 7510 and 7522 Middlebrook Pike, Knoxville (Knox County), TN. The estimated project cost is \$6,609,488.00.

\* These beds are subject to the 2013-2014 Nursing Home Bed Pool.

The establishment of a 112-bed\* Medicare skilled nursing home to be known as NHC/Maury Regional Transitional Care Center pursuant to T.C.A. § 68-11-1627 which permits the replacement of one or more currently licensed nursing homes with one single nursing home. The new facility will be created by relocating and replacing the 92-bed NHC Healthcare, Hillview and the 20-bed Maury Regional Hospital Skilled Nursing Unit to an 11 acre site at 5004 Trotwood Avenue, Columbia (Maury County), TN. The estimated project cost is \$18,161,672.00.

\* These beds are not subject to the 2013-2014 Nursing Home Bed Pool.

(Continued on Next Page)

## **RESULTS OF APPLICATIONS HEARD AT THE OCTOBER MEETING**

Maury Regional Hospital d/b/a Maury Regional Medical Center  
808 South James Campbell Boulevard  
Columbia (Maury County), TN 38401  
CN1307-026  
Contact Person: David Thomas, Director, Cancer Center  
Phone: 931-380-4057

**APPROVED**

The relocation of two (2) linear accelerators and a mobile positron emission tomography (PET) scanner from the main Maury Regional Medical Center campus at 1224 Trotwood Avenue, Columbia (Maury County), TN to Maury Regional Cancer Center located at 808 South James Campbell Blvd, Columbia (Maury County), TN. As part of the project, MRMC will replace one of its linear accelerators. The estimated project cost is \$7,742,231.00.

Chattanooga-Hamilton County Hospital Authority  
d/b/a Erlanger Medical Center  
975 East 3rd Street  
Chattanooga (Hamilton County), TN 37403  
CN1307-027  
Contact Person: Joseph M. Winick, Sr. Vice President  
Phone: 423-778-7274

**APPROVED**

The initiation of positron emission tomography (PET) services and the acquisition of a PET/CT Scanner. The estimated project cost is \$4,307,699.00.

Seton Corporation d/b/a Saint Thomas Midtown Hospital f/k/a Baptist Hospital  
2000 Church Street  
Nashville (Davidson County), TN 37236  
CN1307-028  
Contact Person: Barbara Houchin, Executive Director, Planning  
Phone: 615-284-6849

**DEFERRED TO DECEMBER**

The modification of the hospital by replacing and relocating four (4) operating rooms. The estimated project cost is \$11,499,496.00.

Baptist Plaza Surgicare  
Unaddressed site at the northeast corner of Church Street and 20th Avenue North  
Nashville (Davidson County), TN 37203  
CN1307-029  
Contact Person: Corey Ridgway, Market President  
Phone: 615-376-7300

**APPROVED**

The relocation and replacement of the existing ASTC from 2011 Church Street, Medical Plaza I Lower Level, Nashville (Davidson County), TN 37203 to the northeast corner of the intersection of Church Street and 20th Avenue North, Nashville (Davidson County), TN 37203. The facility will be constructed in approximately 28,500 SF of rentable space in a new medical office building and will contain nine (9) operating rooms and one (1) procedure room. The estimated project cost is \$29,836,377.00.

### **GENERAL COUNSEL'S REPORT**

The Health Center of Nashville  
Unaddressed site at Southeast quadrant of Highway 100 and Pasquo Road  
Nashville (Davidson County), TN 37221  
CN1107-024A  
Contact Person: Dan H. Elrod, Esq.  
Phone: 615-651-6702

**DEFERRED FROM SEPTEMBER  
APPROVED**

Request for an eighteen (18) month extension of the expiration date from November 1, 2014 to May 1, 2016 and the following project modifications pursuant to the approval of CN1306-022 which will relocate 60 of the 150 beds authorized by CN1107-024A:

- Reduction of 60 beds from the 150 approved beds to 90 private beds;
- Decrease in project cost by \$2,381,950 from \$23,894,100 to

## **APPLICATIONS TO BE HEARD AT THE OCTOBER MEETING**

(Continued from Page 5)

The Health Center of Nashville  
CN1107-024A

- Other changes related to the footprint of the facility including (a) reduction in overall square footage by 8,592 SF from 86,000 SF to 77,408 SF; (b) increase in therapy gym space by 2,500 SF from 2,300 SF to 4,800 SF; (c) the addition of 3,400 SF of shelled space for potential future growth. CN1306-022 is pending to relocate 60 of the 150 beds authorized by CN1107-024A with an estimated project cost of \$23,894,100.

Parkridge Valley Adult Services  
7351 Standifer Gap Road  
Chattanooga (Hamilton County), TN 37421  
CN1202-007A  
Contact Person: Jerry W. Taylor, Esq.  
Phone: 615-782-2200

Request for a \$2,134,476 project cost increase from \$6,762,605 to \$8,889,399.

**APPROVED**

Christian Care Center of Memphis f/k/a  
Americare Health and Rehabilitation Center  
Corner of Kirby Pkwy. and Kirby Gate Blvd.  
Memphis (Shelby County), TN 38118  
CN0908-045AE  
Contact Person: Jerry W. Taylor, Esq.  
Phone: 615-782-2200

Request for a \$1,853,976 project cost increase from \$8,639,395 to \$10,473,976 and a two (2) year extension of the expiration date from January 1, 2014 to January 1, 2016.

**APPROVED**

## **APPLICATIONS TO BE HEARD AT THE NOVEMBER MEETING**

There were no applications deemed complete on August 31, 2013. Therefore, no applications were entered into the September review cycle for the **November 20, 2013** Health Services and Development Agency Meeting.

### **GENERAL COUNSEL'S REPORT**

McKendree Village  
4347 Lebanon Road  
Hermitage (Davidson County), TN 37076  
CN1202-010A  
Contact Person: Byron R. Trauger, Esq.  
Phone No.: 615-256-8585

Request for a 13 month extension from July 1, 2014 to August 1, 2015.

### **OTHER BUSINESS**

Agency Review of the Administrative Judge's Initial Order, and Issuance of the Agency's Final Order:

East Tennessee Radiation Therapy Services, LLC  
1415 Old Wesigarber Rd., Suite 250  
Knoxville, TN 37909  
CN01108-030AD  
Docket No. 25.00  
Contact Person: W. Brantley Phillips, Esq.  
Phone: 615-742-6200

Request by East Tennessee Radiation Therapy Services, LLC, for the Agency to review the Administrative Law Judge's Initial Order issued on May 30, 2013, denying a certificate of need to establish an ambulatory surgical treatment center, acquire a linear accelerator, and initiate radiation therapy services in the Dowell Springs area of Knoxville, Tennessee.



## **APPLICATIONS TO BE HEARD AT THE DECEMBER MEETING**

\* NHC Homecare, Murfreesboro  
1923 Memorial Blvd., Suite A  
Murfreesboro (Rutherford County), TN 37129  
CN1310-036  
Contact Person: Bruce K. Duncan, Assistant Vice President  
Phone: 615-890-2020  
**Consent Calendar**

The addition of Franklin County to the existing service area of NHC Homecare in Rutherford County. If approved, NHC Homecare, Columbia (license #181) will delicense Franklin County from its service area. The current service area includes the following counties: Bedford, Cannon, Clay, Coffee, Cumberland, Davidson, Dekalb, Fentress, Grundy, Jackson, Marshall, Morgan, Overton, Pickett, Putnam, Rutherford, Smith, Trousdale, Van Buren, Warren, White, Williamson, and Wilson. The estimated project cost is \$3,000.00.

\* NHC Homecare, Springfield  
2100 Park Plaza Drive  
Springfield (Robertson County), TN 37172  
CN1310-037  
Contact Person: Bruce K. Duncan, Assistant Vice President  
Phone: 615-890-2020  
**Consent Calendar**

The addition of Macon County to the existing service area of NHC Homecare in Robertson County. If approved, NHC Homecare, Murfreesboro (license #208) will delicense Macon County from its service area. The current service area includes the following counties: Cheatham, Davidson, Montgomery, Robertson, Sumner and Wilson. The estimated project cost is \$3,000.00.

\* The Jackson Clinic  
2859 Highway 45 West Bypass  
Jackson (Madison County), TN 38205  
CN1310-038  
Contact Person: John L. Wellborn, Consultant  
Phone: 615-665-2022  
**Consent Calendar**

The relocation of an existing MRI and CT from the campus of Jackson Clinic Professional Association located at 616 West Forest Avenue, Jackson (Madison County), TN into a newly constructed addition to the Clinic's North campus medical office building at 2859 Highway 45 Bypass, Jackson (Madison), TN. The applicant intends to also replace/upgrade its one MRI unit with a new MRI unit. The estimated project cost is \$1,978,943.00.

Community Hospices of America-Tennessee, LLC  
d/b/a Hospice Compassus-The Highland Rim  
1805 N. Jackson St., Suites 5 & 6  
Tullahoma (Coffee County), TN 37388  
CN1307-023  
Contact Person: Kim H. Looney, Esq.  
Phone: 615-850-8722

**DEFERRED FROM OCTOBER**

The addition of Lincoln County to the service area of Hospice Compassus which is currently licensed in Bedford, Cannon, Coffee, Franklin, Giles, Grundy, Hickman, Lawrence, Lewis, Marshall, Maury, and Moore counties. The estimated project cost is \$28,000.00.

Seton Corporation d/b/a Saint Thomas Midtown  
Hospital f/k/a Baptist Hospital  
2000 Church Street  
Nashville (Davidson County), TN 37236  
CN1307-028  
Contact Person: Barbara Houchin, Executive Director,  
Planning

The modification of the hospital by replacing and relocating four (4) operating rooms. The estimated project cost is \$11,499,496.00.



## **APPLICATIONS TO BE HEARD AT THE DECEMBER MEETING**

MUA of Middle Tennessee, LLC  
28 White Bridge Road, #210  
Nashville (Davidson County), TN 37205  
CN1308-031  
Contact Person: E. Graham Baker, Jr., Esq.  
Phone: 615-370-3380

The addition of interventional pain management services to a single specialty ambulatory surgical treatment center (ASTC) with one (1) procedure room currently authorized to provide only manipulation under anesthesia (MUA) services, which are manual, not operative, surgical procedures. The estimated project cost is \$113,000.00.

Pioneer Community Hospital of Scott  
18797 Alberta Street  
Oneida (Scott County), TN 37841  
CN1308-030  
Contact Person: Eden Blackwell, Director of  
Corporate Compliance  
Phone: 601-849-6440 (x 325)

Discontinuance of Obstetrics Services at Pioneer Community Hospital of Scott. If approved, the five (5) obstetrical beds will be converted to medical/surgical beds and the licensed acute care bed complement at the hospital will remain at twenty-five (25). The estimated project cost is \$5,000.00.

Vanderbilt University Hospitals  
1211 Medical Drive  
Nashville (Davidson County), TN 37232  
CN1309-034  
Contact Person: Ronald W. Hill, Vice President,  
Business Development  
Phone: 615-936-6012

The expansion and renovation to the existing third floor operating suite by four operating rooms and by providing shell space for future expansion of two additional operating rooms at 1211 Medical Center Drive, Nashville (Davidson County), TN. The estimated project cost is \$7,535,709.00.

## **APPLICATIONS TO BE HEARD AT THE JANUARY MEETING**

Smoky Mountain Ambulatory Surgery Center, LLC  
1338 Papermill Pointe Way  
Knoxville (Knox County), TN 37909-1903  
CN1308-032  
Contact Person: E. Graham Baker, Jr., Esq.  
Phone: 615-370-3380

Addition of interventional pain management services at its ASTC which currently limited to manipulation under anesthesia (MUA) services. The estimated project cost is \$53,000.00.

Woodridge of West Tennessee, LLC  
49 Old Hickory Blvd.  
Jackson (Madison County), TN 38305  
CN1309-035  
Contact Person: Robert Bauer, CEO  
Phone: 615-327-4440

The establishment of a sixteen (16) bed geriatric inpatient psychiatric facility located at 49 Old Hickory Blvd, Jackson (Madison County), TN 38305. The estimated project cost is \$1,158,737.00.

The Village at Germantown  
7930 Walking Horse Circle  
Germantown (Shelby County), TN 37138  
CN1310-039  
Contact Person: John L. Wellborn, Consultant  
Phone: 615-665-2022

The addition of twenty (20\*) Medicare-certified skilled beds to its existing thirty (30) Medicare skilled bed nursing home. The estimated project cost is \$5,654,232.00.

\* These beds are subject to the 2013-2014 Nursing Home Bed Pool.

## **APPEALS OF AGENCY DECISIONS**

<b><u>FACILITY</u></b>	<b><u>DOCKET #</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>MEETING DATE</u></b>
Baptist Memorial Hospital-Huntingdon Huntingdon, Carroll County CN1205-021A	25.00-118927J	Appeal of Approval of CON	9/26/2012
HealthSouth Rehabilitation Hospital of Williamson County Franklin, Williamson County CN1012-059A	25.00-111868J	Appeal of Approval of CON	3/23/2011
Medical Care, PLLC Elizabethton, Carter County CN1303-006D	25.00-122463J	Appeal of Denial of CON	7/24/2013
Middle Tennessee Rehabilitation Hospital, LLC Franklin, Williamson County CN1012-055D	25.00-111868J	Appeal of Denial of CON	3/23/2011
Select Specialty Hospital-Memphis Memphis, Shelby County CN11212-062A	25.00-121598J	Appeal of Approval of CON	5/22/2013
Tri-Cities Holdings LLC d/b/a Trex Treatment Center Johnson City, Washington County CN1303-005D	T.B.A.	Appeal of Denial of CON	6/26/2013



# **Health Services and Development Agency**

## **Members**

**D. Lynn Johnson**  
(Consumer, Speaker of the House)

**Charlotte C. Burns**  
(Hospital)

**Claudia H. Byrd**  
(Consumer, Speaker of the Senate)

**Robert Doolittle**  
(Consumer, Governor)

**Barrett G. Haik, M.D.**  
(Physician)

**Thom Mills**  
(Home Care)

**Mark Flora, M.D.**  
(Ambulatory Surgical Treatment Centers)

**James L. Wright**  
(Nursing Home)

**Keith Gaither, Designee**  
for Director of TennCare  
**Darin J. Gordon**

**Elisha Hodge, Designee**  
for Comptroller  
**Justin Wilson**

**Lisa Jordan, Designee**  
for Commerce & Insurance Commissioner  
**Julie Mix McPeak**